

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:
Andrew Michael Duggan et al.

Serial No.: 10/809,042

Confirmation No.: 5804

Filed: March 25, 2004

For: TUBING EXPANSION

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Group Art Unit: 3725

Examiner: Debra M. Sullivan

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 24, 2010

Signature: /Jason C. Huang, Reg. No. 46,222/

Dear Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Applicants submit this Response to address the deficiencies cited in the Notice of Non-Compliant Appeal Brief dated October 28, 2010. This Response includes a revised Summary of Claimed Subject Matter for inclusion in the Appeal Brief.

Summary of Claimed Subject Matter

Independent claim 1 is directed to a tubing expansion device 10 having at least one expansion member 14 adapted to expand a tubing 12 by inducing a hoop stress in the tubing (See Paragraph [0072], Ins. 5-6; Figures 1 and 2); and at least one further expansion member 16 adapted to expand the tubing 12 by inducing a compressive yield of the tubing 12 (See Paragraph [0072] , Ins. 7-8; Figures 1 and 2), wherein one of said at least one expansion member 14 and said at least one further expansion member 16 is adapted to expand the tubing 12 to a first diameter (See Paragraph [0075], Ins. 6-10; Figure 2) and the other of said at least one expansion member 14 and said at least one further expansion member 16 is adapted to further expand the tubing 12 to a larger second diameter (See Paragraph [0076], Ins. 1-3; Figure 2), wherein the device 10 is arranged such that expansion of the tubing 12 to a desired final diameter is carried out using the hoop stress inducing expansion member 14 (See Paragraph [0076], Ins. 1-3; Figure 2).

Independent claim 100 is directed to a tubing expansion device 10 having at least one expansion member 14 adapted to expand a tubing 12 by inducing a hoop stress in the tubing 12 (See Paragraph [0072], Ins. 5-6; Figures 1 and 2), wherein the hoop stress inducing expansion member 14 comprises an expansion cone (See Paragraph [0072], Ins. 5-6; Figures 1 and 2); and at least one further expansion member 16 adapted to expand the tubing 12 by inducing a compressive yield of the tubing 12 (See Paragraph [0072] , Ins. 7-8; Figures 1 and 2), wherein one of said at least one expansion member 14 and said at least one further expansion member 16 is adapted to expand the tubing 12 to a first diameter (See Paragraph [0075], Ins. 6-10; Figure 2) and the other of said at least one expansion member 14 and said at least one further expansion member 16 is adapted to further expand the tubing 12 to a larger second diameter (See Paragraph [0076], Ins. 1-3; Figure 2), wherein the device 10 is arranged such that expansion of the tubing 12 to a desired final diameter is carried out using the hoop stress inducing expansion member 14 (See Paragraph [0076], Ins. 1-3; Figure 2).

REMARKS

In response to the Notice of Non-Compliant Appeal Brief, Applicants submit this Response to revise the Summary of Claimed Subject Matter to include mapping of the independent claims on appeal to the specification.

Applicants believe the Appeal Brief is in compliance after entry of this Response.

Respectfully submitted, and
S-signed pursuant to 37 C.F.R. 1.4,

/Jason C. Huang, Reg. No. 46,222/

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